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Atty Dkt 2000-0160.03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

WALTER L. MILLER et al.

Serial No.: 07/480,745

Group Art Unit: 185

Filed: 15 February 1990

Examiner: J. Martinell

For: BOVINE GROWTH HORMONE

DECLARATION OF WALTER L. MILLER,
JOSEPH A. MARTIAL, AND JOHN D. BAXTER

We, Walter L. Miller, Joseph A. Martial, and John D. Baxter, declare as follows:

1. We are co-inventors of the herein application, and on 31 March 1989, 7 April 1989, and 8 April 1989 respectively, executed a Declaration with respect to certain handwritten alterations throughout the specification. The contents of this Declaration is incorporated herein by reference and is attached as exhibit A. We swore that all handwritten alterations were made prior to the execution of the original Declaration and Oath, with the exception of page 1, lines 12-16 (material in the right-hand margin), page 13, bottom of the page; page 13, lines 20-21, right-hand margin; page 15, lines 6-7, right-hand margin; page 15, lines 28-29, right-hand margin which were not part of the application as filed or part of the invention. We swore that other handwritten declarations throughout the specification both initialled and/or dated as required by 37 CFR 1.52(c) and 37 CFR 1.56, and those only partially initialled are dated or not initialled or dated at all were made prior to the execution of the original Declaration

signed on the great grandparent application herein, U.S. Serial no. 181,348, filed 26 August 1980.

We are informed and believe that the Office finds the above-executed Declaration unacceptable because it fails to identify those handwritten alterations which we declare are part of our invention. We now identify these handwritten portions as follows: Page 1, lines 15, 16, and 25 (last line on the page); page 2, lines 6, 10, and 22; page 3, lines 3, 4, and 5; page 4, lines 18 and 19; page 5, lines 1, 4, 14 (14A), 20, and 22; page 6, lines 11, 12 and 22; page 7, line 14; page 8, lines 2 and 3; page 9, lines 16 and 17; page 10, line 3; page 11, line 9; page 12, lines 4, 19, and 21; page 14, line 3; page 16, lines 8, 9, and 28. These were all made prior to the execution of the original Declaration signed on the great grandparent application herein, U.S. Serial no. 181,348, filed 26 August 1980.

The notation on page 5 below line 28 is not a handwritten alteration but a blank left for reference; this portion of the specification has been amended to delete this informality.

We are also informed and believe that the Office has objected to certain insertions we have made in the specification as illegible; we declare that the true reading of these inserts is as follows:

On page 2, line 22 the insert reads "For the production of a hybrid protein, the";

On page 5, lines 14 and 15 read ", or (3) examining colonies directly for expression by RIA or other techniques.";

On page 5, line 21, the first insert reads "partial" and the second insert reads "as the cDNA for bovine GH contains two internal PstI sites"; the insert on line 24 reads "DNA coding for the";

On page 8, the insert on line 2 reads "such as";
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and the two inserts on line 17 read "RR1" and "or other
bacteria", respectively;

On page 11, the word "growth" was evidently altered
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A. et al. supra";

On page 13, line 21, the end of the line reads "831
base pairs.";

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these statements were made with the knowledge that willful
false statements and the like so made are punishable by fine
or imprisonment, or both, under Section 1001 of Title 18 of
the United States Code, and that such willful false
statements may jeopardize the validity of the application or
any patent issuing thereon.

Date _____

Walter L. Miller

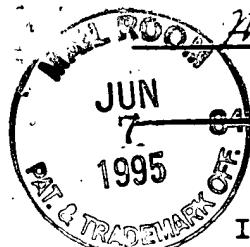
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Joseph A. Martial

Date 11/16/80

John D. Baxter
John D. Baxter

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Date 11/20/90


Walter L. Miller

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John D. Baxter

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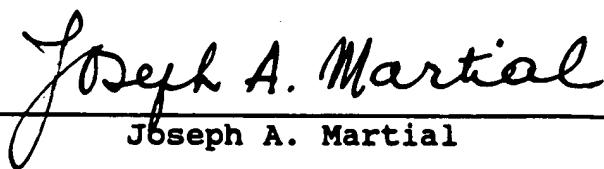
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